

## DEPARTMENT OF BENEFIT PAYMENTS

744 P Street  
Sacramento, CA 95814



October 25, 1974

ALL-COUNTY LETTER NO. 74-210

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP PROGRAM - PENALTIES FOR THEFT, FRAUD, AND COUNTERFEITING

REFERENCE:

The attached item represents an amendment to Section 18910 of the Welfare and Institutions Code which concerns prosecutions in the Food Stamp Program for fraud, theft, and counterfeiting. This amended section was effective March 1, 1974, and made retroactive to January 1, 1974.

It is the purpose of this amendment to curb the abuse which has tainted the merits of the program. Through the implementation of its provisions, local Special Investigative Units and district attorneys will now have an effective enforcement tool with which to increase their concerted efforts in prosecuting offenders.

Program participants should be informed at each certification about the severe consequences for the unlawful actions cited in the W&I Code as an appropriate step in deterring future offenses.

Your continued cooperation in this regard is greatly appreciated.

Sincerely,

DENNIS O. FLATT  
Deputy Director

Attachment

cc: FNS, USDA  
CWDA

**OBsolete**

Superseded by ACL #76-27

Issued 2-13-76

GEN 654 (2/74)

SEC. 15. Section 18910 of the Welfare and Institutions Code is amended to read:

18910. Whoever knowingly uses, transfers, acquires, or possesses food stamps or authorizations to purchase food stamps in any manner not authorized by this chapter or by the Food Stamp Act of 1964 (Public Law 88-525 and all amendments made thereto) is guilty of a misdemeanor if the face value of the food stamps or the authorizations to purchase food stamps is two hundred dollars (\$200) or less; or exceeds his cost, if any, to purchase them by two hundred dollars (\$200) or less; or is guilty of a felony if the face value of the food stamps or the authorizations to purchase food stamps exceeds by more than two hundred dollars (\$200) his cost, if any, to purchase them.

Whoever knowingly uses, transfers, acquires, or possesses blank authorizations to purchase food stamps in any manner not authorized by this chapter with the intent to defraud is guilty of a felony.

Whoever counterfeits or alters or knowingly uses, transfers, acquires, or possesses counterfeited or altered authorizations to purchase food stamps or food stamps in any manner not authorized by the Food Stamp Act of 1964 (Public Law 88-525 and all amendments made thereto) or the federal regulations pursuant to the act is guilty of forgery.

Whoever fraudulently appropriates food stamps or authorizations to purchase food stamps with which he has been entrusted pursuant to his duties as a public employee is guilty of embezzlement of public funds.

In no event shall separate offenses, which by themselves would be punishable as misdemeanors, be accumulated for prosecution as a felony.